

[\*Mackowiak v. University Nuclear Systems, Inc.\*](#), 82-ERA-8 (Sec'y Apr. 18, 1989)

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U.S. DEPARTMENT OF LABOR

SECRETARY OF LABOR  
WASHINGTON, D.C.

DATE: April 18, 1989  
CASE NO. 82-ERA-8

IN THE MATTER OF

ROBERT MACKOWIAK,  
COMPLAINANT,

v.

UNIVERSITY NUCLEAR SYSTEMS, INC.,  
RESPONDENT.

BEFORE: THE SECRETARY OF LABOR

ORDER APPROVING SETTLEMENT

This case arises under section 210 of the Energy Reorganization Act of 1974, as amended (ERA), 42 U.S.C. § 5851 (1982).

Before me is the [recommended] Decision and order on Remand issued by Administrative Law Judge Edward C. Burch on July 25, 1986, and, in response to the Secretary's December 6, 1988, Order to Submit Settlement Agreement, a letter from Complainant's counsel dated December 19, 1988, representing that no settlement agreement was executed by the parties but that an oral agreement was entered into and an exchange of checks occurred substantially

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in compliance with Judge Burch's recommended decision and order. Attached to the December 19 letter is a copy of a letter dated September 17, 1986, from Respondent's counsel to Complainant's counsel which transmitted checks and served as a release and which was acknowledged as received by both Complainant and his counsel.

I find the terms of the agreement as reflected in the letters of September 17, 1986, and December 19, 1988, to be fair, adequate and reasonable. I, therefore, approve the settlement and the release signed by the parties and dismiss this case with prejudice.

SO ORDERED.

ELIZABETH DOLE  
Secretary of Labor

Washington, D.C.